

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TODD FENER,	)	No. 04-cv-12375-RCL
	)	
Plaintiff,	)	<u>CLASS ACTION</u>
	)	
vs.	)	
	)	
ASPEN TECHNOLOGY, INC., et al.,	)	
	)	
Defendants.	)	
	)	
<hr/> RICK STOCKMASTER, Individually and On	)	No. 04-cv-12387-RCL
Behalf of All Others Similarly Situated,	)	
	)	<u>CLASS ACTION</u>
Plaintiff,	)	
	)	
vs.	)	
	)	
ASPEN TECHNOLOGY, INC., et al.,	)	
	)	
Defendants.	)	
	)	

---

OPERATING ENGINEERS CONSTRUCTION INDUSTRY AND MISCELLANEOUS  
PENSION FUND (LOCAL 66) AND CITY OF ROSEVILLE EMPLOYEES' RETIREMENT  
SYSTEM'S MOTION FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF  
AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF LEAD AND LIAISON  
COUNSEL

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Operating Engineers Construction Industry and Miscellaneous Pension Fund (Local 66) and City of Roseville Employees' Retirement System (the "Operating Engineers Group"), who purchased Aspen Technology, Inc., common stock between January 25, 2000 and October 29, 2004 ("Class Period"), hereby move this Court for an Order granting the Operating Engineers Group's Motion for (1) Consolidation; and (2) Appointment as Lead Plaintiff and (3) Approval of Lead Plaintiff's Selection of Lead and Liaison Counsel pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934. This Motion is based upon this notice of motion, the accompanying Memorandum of Points and Authorities in support thereof, the Affidavit of Theodore M. Hess-Mahan, the pleadings and other files and records in each of these actions, and such other written or oral argument as may be permitted by the Court.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(d), the Operating Engineers Group hereby requests oral argument on this Motion.

DATED: January 10, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail on 1/10/05

/s/ Theodore M. Hess-Mahan

/s/ Theodore M. Hess-Mahan

THEODORE M. HESS-MAHAN

Thomas G. Shapiro (BBO #454680)

Theodore M. Hess-Mahan (BBO #557109)

SHAPIRO HABER & URMYY LLP

53 State Street

Boston, MA 02109

Telephone: 617/439-3939

617/439-0134 (fax)

[Proposed] Liaison Counsel

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

SAMUEL H. RUDMAN  
DAVID A. ROSENFELD  
MARIO ALBA, JR.

200 Broadhollow Road, Suite 406  
Melville, NY 11747  
Telephone: 631/367-7100  
631/367-1173 (fax)

- and -

WILLIAM S. LERACH  
DARREN J. ROBBINS  
RAMZI ABADOU

401 B Street, Suite 1600  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

[Proposed] Lead Counsel for Plaintiffs

S:\CasesSD\Aspen Tech 04\MOT00017065-LP.doc